

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN S. GONDOR

v.

ROBERT BENNETT, UDPD, RYAN  
BENNER, UDPD, MICHAEL MURPHY,  
UDPD, MICHAEL CHITWOOD, UDPD,  
UNKNOWN SUPERVISOR OF RYAN  
BENNER – UDPD, UNKNOWN  
SUPERVISOR OF ROBERT BENNETT -  
UDPD and UNKNOWN SUPERVISOR  
OF MICHAEL MURPHY - UDPD

CIVIL ACTION

NO. 19-5428

**ORDER**

**NOW**, this 16th day of January, 2020, upon consideration of plaintiff's motion to proceed *in forma pauperis* (Document No. 5), his Prisoner Account Statement, and his Complaint, it is **ORDERED** that:

1. Pursuant to 28 U.S.C. § 1915, plaintiff's application to proceed *in forma pauperis* is **GRANTED**;

2. Plaintiff, **John Gondor, # 19007563**, shall pay the filing fee of \$350 regardless of the outcome of this case.

3. The Warden or other appropriate official at the George W. Hill Correctional Facility is directed to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to plaintiff's inmate account; or (b) the average monthly balance in plaintiff's inmate account for the six-month period immediately preceding the filing of this case and forward the initial payment assessed, with a reference to the docket number of this case, to the Clerk of Court at the following address:

Clerk of the United States District Court  
for the Eastern District of Pennsylvania  
Room 2609  
601 Market Street  
Philadelphia, Pennsylvania 19106

4. In each succeeding month when the amount in plaintiff's inmate account exceeds \$10.00, the Warden or other appropriate official shall calculate and collect a payment equaling twenty percent (20%) of the preceding month's income credited to plaintiff's inmate account and forward that amount, until the fee is paid, to be credited to **Civil Action No. 19-5428**, to the Clerk of Court at the above address.

5. The complaint is deemed filed.

6. The complaint is **DISMISSED WITH PREJUDICE** as to Michael Chitwood, Unknown Supervisor of Ryan Benner – UDPD Unknown Supervisor of Robert Bennet – UDPD, and Unknown Supervisor of Michael Murphy – UDPD.

7. The complaint is **DISMISSED WITHOUT PREJUDICE** as Robert Bennet, Ryan Benner and Michael Murphy.

8. Plaintiff is granted leave to file an amended complaint within thirty (30) days of the date of this Order, and any amended complaint shall: (a) identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint; and (b) state the basis for plaintiff's claims against each defendant.

9. The Clerk of Court shall furnish plaintiff with a copy of the Court's current standard form to be used by a prisoner litigant filing a civil rights action, bearing the above Civil Action Number.

10. Plaintiff shall use this standard form to file his amended complaint.

11. Upon the filing of an amended complaint, the Clerk shall not make service unless ordered to do so by the Court.

12. The Clerk is directed to send a copy of this Order to the Warden of the George W. Hill Correctional Facility.

13. If plaintiff fails to comply with this Order, his case will be dismissed.

/s/ TIMOTHY J. SAVAGE J.